

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

INCOME TAX REFERENCE NO. 195 OF 1996.

The Commissioner of Income Tax..... Appellant.

vs.

M/s Speciality Valves P.Ltd. Respondent.

Shri Ashok Kotangale with G. Hariharan i/b H.D.
Rathod for the appellant.

CORAM : V.C.DAGA AND J.P. DEVADHAR, JJ.

DATED : 29th August 2005.

P.C. :

. By this reference under section 256(1) of the Income-tax Act, 1961, the Income Tax Appellate Tribunal has referred the following question of law for the opinion of this Court:

. Whether, on the facts and in the circumstances of the case, the Tribunal was right in holding that investment allowance is allowable on the amusement machinery?

. In view of the judgment of this Court in the case of **C.I.T. vs. M/s Pithwa Engg. Works, (2005) 276 ITR 519(Bom)**, wherein this Court has relied upon earlier decision of this Court in the case of **C.I.T. vs. Camco Colour Co. (2002) 254 ITR 565**, we do not think it necessary to answer the reference made to this Court for the Assessment Year 1983-84, having negligible tax effect. Accordingly, reference stands returned unanswered with no order as to costs.

(J.P. DEVADHAR,J.)

(V.C.DAGA,J.)